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Attorney Docket No. 21.1757-C-DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:

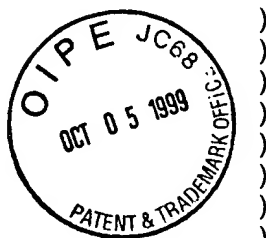
Yu MINAKUCHI et al.

Application No.: 09/149,216

Filed: September 8, 1998

CPA Filing Date (if applicable):

For: APPARATUS FOR MANIPULATING AN OBJECT)
DISPLAYED ON A DISPLAY DEVICE BY USING)
A TOUCH SCREEN)



Group Art Unit:

Examiner:

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copies of IDS citations. (If box not checked, see Item 6, below)
- 1c. ☒ An English language copy of a Search Report or an Official Action from a counterpart foreign application or the PCT International Search Report.
- 1d. ☒ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☒ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b) before:

(Check either Item 2a or 2b)

- 2a. ☒ the latter of three (3) months after the U.S. patent application filing date or the first Office Action on the merits therein; or
- 2b. ☐ the latter of three (3) months after the continued prosecution application (CPA) filing date or the first Office Action on the merits therein.

Accordingly, no fee or § 1.97(e) Statement is required.

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3. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance.

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

3a. ☐ The §1.97(e) Statement in Item 5 below is applicable. Accordingly, no fee is required.

3b. ☐ The \$240.00 fee set forth in 37 CFR §1.17(p) in accordance with 37 CFR §1.97(c) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the Final Office Action or the Notice of Allowance, but before payment of the Issue Fee.

The § 1.97(e) Statement (Item 5 below) is applicable.

A Petition to the Commissioner is hereby made under 37 CFR §1.97(d) to request consideration of this Information Disclosure Statement. The \$130.00 fee set forth in 37 CFR §1.17(i) is:

☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) (*applicable if Item 3a or Item 4 is checked*)

(Check either Item 5a or 5b)

5a. ☐ In accordance with 37 CFR §1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. (Federal Register, Vol. 62, No. 197, page 53190, October 1997.)

5b. ☐ In accordance with 37 CFR §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. (Federal Register, Vol. 62, No. 197, page 53190, October 1997.)

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR §1.53(b).

(Check appropriate Items 6a and/or 6b)

6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. _____, filed on _____, of which this application claims priority under 35 U.S.C. §120, have been omitted pursuant to 37 CFR §1.98(d).

6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. _____, filed on _____, of which this application claims priority under 35 U.S.C. §120, are provided herewith.

7. ☐ This is a continuation/divisional application under 37 CFR §1.53(d).

(Check either Item 7a or 7b)

7a. ☐ The Issue Fee has not been paid.

7b. ☐ A Petition to Withdraw from issue under 37 CFR §1.313(b)(5) is filed concurrently herewith or has been granted. A continuation application under 37 CFR §1.53(d) after payment of the Issue Fee is proper in accordance with 37 CFR §1.53(d)(1)(ii).

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8. ☐ This is a Supplemental Information Disclosure Statement.

(Check either Item 8a or 8b)

- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR §1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §1.97(i), mailed _____. (MPEP 609, Form ¶ 6.51, July 1997.)

9. ☒ In accordance with 37 CFR §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

(Check appropriate Items 9a, 9b, 9c and/or 9d)

- 9a. ☒ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office. (See U.S. Patent & Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68).)
- 9b. ☐ set forth in the application.
- 9c. ☒ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 9d. ☒ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).
11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR §1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: October 5, 1999
700 Eleventh Street, N.W., Suite 500
Washington, D.C. 20001
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

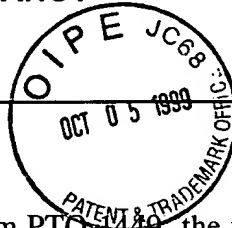
By: 
H. J. Staas
Registration No. 22,010

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Group 2700 ATTACHMENT 1(e)

EXPLANATIONS OF RELEVANCY OF REFERENCES	ATTORNEY DOCKET NO.	APPLICATION NO.
	21.1757-C-DIV	09/149,216
	FIRST NAMED INVENTOR	
	Yu MINAKUCHI et al.	
	FILING DATE	GROUP ART UNIT
	September 8, 1998	



In accordance with the attached Form PTO-1449, the following citations and related papers are filed herewith:

1. U.S. Patent 5,347,628 (Reference AA)
2. Japanese Laid-Open Patent Application HEI 03-222033 (Reference AG)

In reference thereto, please note the following:

- a. The Japanese application '033 is based on and asserts priority benefit to the above U.S. Patent 5,347,628 -- Reference AA;
 - b. The portion of JP '033 cited in the Japanese Office Action as being particularly relevant, namely page 5 from the lower right to page 6, the upper left, of JP '033, corresponds to col. 4, lines 21-33 of USP '628.
 - c. The Examiner's attention is directed to the fact that the JP '033 application was published October 1, 1991, and thus prior to the Japanese priority date (October 7, 1999) of the subject U.S. application (and which publication date was listed only as 10/1991 on Form PTO-1449 of the IDS filed September 8, 1998).
3. Japanese Laid-Open Patent Application HEI 01-314321 (Reference AH), including:
 - a. a complete English language translation of the subject JP '321 application;
 - b. an English language translation of the drawings of the JP '321 application; and
 - c. an English language translation of the abstract of the JP '321 application.
 - d. The Examiner's attention is directed to the more precise publication date of December 19, 1989, listed on the attached Form PTO-1449 (as contrasted to 12/1989 in the former PTO-1449 listing of same).